

REMARKS

By this Amendment, claims 1, 3 and 9 have been amended, claims 2, 4 and 8 have been canceled, and new claims 10-57 have been added to the application. Accordingly, claims 1, 3, 5-7 and 9-57 are presently pending in the application.

In the prior Office Action, the Examiner rejected claims 1-9 on various grounds. Inasmuch as claims 2, 4 and 8 have been canceled by this Amendment, the prior rejection thereof is now moot and will not be discussed herein.

With respect to claim 1, the Examiner indicated on page 2 of the prior Office Action that claim 1 was "unclear" and then cited 35 U.S.C. §112, second paragraph. The Examiner did not, however, explain on page 2 what rendered claim 1 "unclear" in his opinion. Later, on page 4 of the Office Action, the Examiner stated that claim 1 repeatedly used the term "substituted" without expressly specifying what the substituent(s) was. By this Amendment, claim 1 has been amended to expressly specify what the particular substituents are. Reconsideration of the rejection of claim 1 is thus respectfully requested.

The Examiner rejected claim 3 in the prior Office Action on numerous grounds, which need not be discussed in view of the amendments made herein to claim 3. By this Amendment, claim 3 has been amended to specify that the composition according to claim 1 comprises 6,7-dihydroxy-8-nitro-3,4-dihydro-2*H*-naphthalen-1-one. Thus, claim 3, as amended, can no longer be characterized as "one big run-on sentence" comprising "an aggravated, multiple page, example of listing ultimate species in one

claim". Claim 3 clearly meets the guidelines and directives issued by the USPTO, including the directive attached to the prior Office Action as Exhibit A. Reconsideration of the rejection of claim 3 in light of the foregoing amendments is respectfully requested.

The Examiner did not specify any particular basis for rejecting claim 5 other than being dependent upon a rejected claim. In view of the amendments made herein to claim 1, reconsideration of the rejection of claim 5 is respectfully requested.

Claims 6-9 were rejected under 35 U.S.C. §101 and 35 U.S.C. §112 as being drafted in terms of use. By this Amendment, claims 6, 7 and 9 have been amended such that they are now directed to methods of manufacturing a medication. Specifically, claim 6 claims a method of manufacturing a medication for treating a subject afflicted by central or peripheral nervous system disorders. Claim 7 claims a method of manufacturing a medication for treating mood disorders, Parkinson's disease and parkinsonian disorders, gastrointestinal disturbances, edema formation states and hypertension. And claim 9 claims a method of manufacturing a medication for use as a COMT inhibitor. Claims 6, 7 and 9, as amended, now meet the requirements of 35 U.S.C. §101 and 35 U.S.C., §112. Reconsideration is respectfully requested.

Also by this Amendment, new claims 10-57 have been added to the application. Claims 10-57 claim specific compounds that meet the formula claimed in claim 1. Claims 10-57 add no new matter to the application. For the convenience of the Examiner, the compounds specifically claimed in claims 3 and 10-57 (and the

corresponding Example where such compound is described in the specification) are set forth below:

Claim 3 -- 6,7-dihydroxy-8-nitro-3,4-dihydro-2*H*-naphthalen-1-one (Example 8);

Claim 10 -- 5,6-dihydroxy-7-nitro-indan-1-one (Example 7);

Claim 11 -- 2-(3,4-dimethoxy-benzylidene)-6,7-dihydroxy-8-nitro-3,4-dihydro-2*H*-naphthalen-1-one (Example 15);

Claim 12 -- (3,4-dihydroxy-2-nitro-phenyl)-phenyl-methanone (Example 61);

Claim 13 -- 2-(3,4-dimethoxy-benzylidene)-5,6-dihydroxy-7-nitro-indan-1-one (Example 14);

Claim 14 -- 2-(4-dimethylamino-benzylidene)-5,6-dihydroxy-7-nitro-indan-1-one (Example 21);

Claim 15 -- 2-(4-dimethylamino-benzylidene)-6,7-dihydroxy-8-nitro-3,4-dihydro-2*H*-naphthalen-1-one (Example 16);

Claim 16 -- 5,6-dihydroxy-2-(4-hydroxy-3-methoxy-5-nitro-benzylidene)-7-nitro-indan-1-one (Example 17);

Claim 17 -- 6,7-dihydroxy-2-(4-hydroxy-3-methoxy-5-nitro-benzylidene)-8-nitro-3,4-dihydro-2*H*-naphthalen-1-one (Example 18);

Claim 18 -- 2-(3,4-dihydroxy-benzylidene)-5,6-dihydroxy-7-nitro-indan-1-one (Example 19);

Claim 19 -- 2-(3,4-dihydroxy-benzylidene)-6,7-dihydroxy-8-nitro-3,4-dihydro-2*H*-naphthalen-1-one (Example 20);

Claim 20 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-phenyl-propan-1-one (Example 63);

Claim 21 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-4-phenyl-butan-1-one (Example 64);

Claim 22 -- 2-(3,4-dihydroxy-5-nitro-benzylidene)-5,6-dihydroxy-7-nitro-indan-1-one (Example 22);

Claim 23 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-pentan-1-one (Example 67);

Claim 24 -- 2,3-dihydroxy-1-nitro-anthraquinone (Example 25);

Claim 25 -- butyric acid 6-butyroxy-2-nitro-3-(3-phenyl-propionyl)-phenyl ester (Example 50);

Claim 26 -- butyric acid 3-benzoyl-6-butyroxy-2-nitro-phenyl ester (Example 48);

Claim 27 -- carbonic acid 4-benzoyl-2-ethoxycarbonyloxy-3-nitro-phenyl ester ethyl ester (Example 49);

Claim 28 -- carbonic acid 2-ethoxycarbonyloxy-3-nitro-4-(3-phenyl-propionyl)-phenyl ester ethyl ester (Example 51);

Claim 29 -- carbonic acid 4,5-dibenzoyl-2-ethoxycarbonyloxy-3-nitro-phenyl ester ethyl ester (Example 4);

Claim 30 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-2-phenyl-ethanone (Example

62);

Claim 31 -- acetic acid 3-acetoxy-7,7-dimethyl-1-nitro-8-oxo-5,6,7,8-tetrahydro-napthalen-2-yl ester (Example 45);

Claim 32 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-morpholin-4-yl-propan-1-one (Example 30);

Claim 33 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-piperidin-1-yl-propan-1-one (Example 31);

Claim 34 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-pyrrolidin-1-yl-propan-1-one (Example 32);

Claim 35 -- 5,6-dihydroxy-2-morpholin-4-ylmethyl-7-nitro-indan-1-one (Example 26);

Claim 36 -- 5,6 dihydroxy-7-nitro-2-piperidin-1-ylmethyl-indan-1-one (Example 27);

Claim 37 -- 1-[3-(3,4-dihydroxy-2-nitro-phenyl)-3-oxo-propyl]-piperidene-3-carboxylic acid diethylamide (Example 33);

Claim 38 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-(3-methyl-piperidin-1-yl)-propan-1-one (Example 34);

Claim 39 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-(4-methyl-piperidin-1-yl)-propan-1-one (Example 35);

Claim 40 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-(octahydro-quinolin-1-yl)-propan-1-one (Example 36);

Claim 41 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-(3,5-dimethyl-piperidin-1-yl)-propan-1-one (Example 37);

Claim 42 -- 3-(4-benzyl-piperidin-1-yl)-1-(3,4-dihydroxy-2-nitro-phenyl)-propan-1-one (Example 38);

Claim 43 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-[4-(4-methoxy-phenyl)-piperazin-1-yl]-propan-1-one (Example 39);

Claim 44 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-[4-(3-trifluoromethyl-phenyl)-piperazin-1-yl]-propan-1-one (Example 40);

Claim 45 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-(4-propyl-piperazin-1-yl)-propan-1-one (Example 41);

Claim 46 -- acetic acid 6-acetoxy-2-nitro-3-(3-phenyl-acryloyl)-phenyl ester (Example 52);

Claim 47 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-3-phenyl-propenone (Example 23);

Claim 48 -- 1-(3,4-dihydroxy-2-nitro-phenyl)-2-morpholin-4-yl-ethanone (Example 1);

Claim 49 -- 5,6-dihydroxy-7-nitro-2-[4-(3-trifluoromethyl-phenyl)-piperazin-1-ylmethyl]-indan-1-one (Example 28);

Claim 50 -- 5,6-dihydroxy-7-nitro-2-(4-phenyl-piperazin-1-ylmethyl)-indan-1-one (Example 29);

Claim 51 -- acetic acid 6-acetoxy-2-nitro-3-phenylacetyl-phenyl ester

(Example 53);

Claim 52 -- acetic acid 2-acetoxy-4-(1-acetoxy-2-phenyl-vinyl)-3-nitro-phenyl ester (Example 46);

Claim 53 -- butyric acid 6-butyryloxy-2-nitro-3-phenylacetyl-phenyl ester (Example 54);

Claim 54 -- carbonic acid 2-ethoxycarbonyloxy-3-nitro-4-phenylacetyl-phenyl ester ethyl ester (Example 55);

Claim 55 -- acetic acid 6-acetoxy-2-nitro-3-(4-phenyl-butyryl)-phenyl ester (Example 56);

Claim 56 -- butyric acid 6-butyryloxy-2-nitro-3-(4-phenyl-butyryl)-phenyl ester (Example 50); and

Claim 57 -- carbonic acid 2-ethoxycarbonyloxy-3-nitro-4-(4-phenyl-butyryl)-phenyl ester ethyl ester (Example 58).

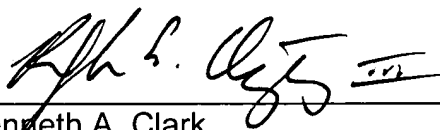
Applicants: David Alexander Learmonth et al.
Serial No.: 09/885,855
Confrm. No.: 4106
Filed: 20-JUN-01
Group Art Unit: 1624
Page 22

CONCLUSION

In light of the foregoing, it is submitted that claims 1, 3, 5-7 and 9-57 are in condition for allowance, and a notice to that effect is therefore earnestly solicited.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK, L.L.P.

A handwritten signature in black ink, appearing to read "Kenneth A. Clark", is written over a horizontal line.

Kenneth A. Clark
Reg. No. 32,119
Randolph E. Digges, III
Reg. No. 40,590

925 Euclid Avenue
Suite 700
Cleveland, Ohio 44115-1405
(216) 566-9700